

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DANIEL ANDRE JENKINS,	)	
	)	
Petitioner,	)	<a href="#">2:25-cv-00062-CB-MPK</a>
	)	
v.	)	Judge Cathy Bissoon
	)	Magistrate Judge Maureen P. Kelly
CONNOR ALAN BATTIN, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

This case has been referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On January 31, 2025, the Magistrate Judge issued a Report ([Doc. 6](#)) recommending that the 2254-Petition be dismissed without prejudice. Service of the Report and Recommendation (“R&R”) has been made on Petitioner, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, it hereby is **ORDERED** that the 2254-Petition is **DISMISSED**, without prejudice to refile if and when Petitioner has exhausted his state court remedies, if and as appropriate. A certificate of appealability is denied, because reasonable jurists could not conclude that a basis for appeal exists. The R&R ([Doc. 6](#)) is adopted as the Opinion of the District Court. A Rule 58 Judgment will issue, and the case will be marked closed.

IT IS SO ORDERED.

February 25, 2025

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via First-Class U.S. Mail):

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168130  
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